

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY ASUNCION

UNCLAS STATE 250766

E.O. 11652: N/A

TAGS: CVIS PFOR

SUBJECT: COMPLAINT BY PARAGUAYAN MILITARY OFFICERS

CONCERNING TREATMENT BY US CUSTOMS OFFICIALS

REF: ASUNCION 4661

1. DISREGARD DEPARTMENT'S 243298.
2. WHILE C-3 DIPLOMATIC VISAS COULD PROPERLY HAVE BEEN ISSUED, THEY WOULD NOT LEGALLY ENTITLE HOLDER TO EXEMPTION FROM BAGGAGE EXAMINATION.
3. THE EMBASSY IS INFORMED THAT SECTION 148.82(B)(2) OF THE UNITED STATES CUSTOMS REGULATIONS PROVIDES FOR THE DUTY FREE ADMISSION WITHOUT THE FILING OF AN ENTRY OF THE BAGGAGE AND EFFECTS OF HIGH RANKING FOREIGN GOVERNMENT OFFICIALS AND DISTINGUISHED VISITORS WHEN A REQUEST IS MADE BY THE DEPARTMENT OF STATE (SEE REVISED CUSTOMS REGULATIONS TRANSMITTED TO ALL POSTS AS ENCLOSURE TO A-2972 OF APRIL 5, 1973). SINCE A REQUEST WAS NOT MADE IN THIS CASE, THE CUSTOMS OFFICIALS WERE WITHOUT AUTHORITY TO EXTEND SPECIAL COURTESIES TO THESE PARAGUAYAN MILITARY OFFICERS AND THEIR BAGGAGE WAS QUITE PROPERLY SUBJECTED TO EXAMINATION.

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4. WHILE THE BAGGAGE OF MEMBERS OF THE DIPLOMATIC STAFFS AND OF CONSULAR OFFICERS IS INVIOLE, THE BAGGAGE OF HIGH

RANKING GOVERNMENT OFFICIALS AND VISITORS IS NOT. EXAMINATION IS USUALLY WAIVED OR ONLY A CURSORY INSPECTION MADE WHEN CUSTOMS COURTESIES HAVE BEEN REQUESTED BY THE DEPARTMENT OF STATE. THE DEPARTMENT WISHES TO POINT OUT, HOWEVER, THAT IN ACCORDANCE WITH THE PROVISIONS OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS AS REFLECTED IN SECTION 148.82(E) (2) OF THE REVISED CUSTOMS REGULATIONS, EVEN THE B-GGAGE OF PERSONS ENJOYING INVIOLEABILITY MAY BE EXAMINED UNDER CERTAIN CONDITIONS.

5. THE DEPARTMENT DESIRES THAT ALL POSSIBLE COURTESIES BE EXTENDED TO FOREIGN DIGNITARIES AND HAS INFORMED ALL AMERICAN DIPLOMATIC AND CONSULAR POSTS ON SEVERAL OCCASIONS THAT IT IS IMPERATIVE THAT THE DEPARTMENT BE NOTIFIED IN ADVANCE OF THE ARRIVAL OF SUCH PERSONS IN ORDER THAT APPROPRIATE ARRANGEMENTS MIGHT BE MADE. THE MOST RECENT COMMUNICATION CONCERNING THIS MATTER IS THE DEPARTMENT'S CA-4734 OF SEPTEMBER 9, 1970, A COPY OF WHICH IS BEING PROVIDED BY POUCH.

6. IT IS REQUESTED THAT THE EMBASSY MAKE EVERY EFFORT TO SUPPLY THE DEPARTMENT WITH ADVANCE INFORMATION REGARDING THE ARRIVAL IN THE UNITED STATES OF PARAGUAYAN OFFICIALS IN ORDER THAT THE REQUIRED REQUEST MIGHT BE MADE AND OCCURRENCES SUCH AS THIS AVOIDED. KISSINGER

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